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FAX TRANSMITTAL SHEET

DATE:

7 July 2005

To:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313 - 1450

Re:

Amendment

Title:

PLANT GROWING MACHINE

Serial No.:

10/642,293

Filed:

18 August 2003

Fax:

703 872-9306

From:

Richard A. Johnson

NO. OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 8

ENCLOSURES:

TRANSMITTAL FORM (PTO/SB/21)

- 1 PAGE

- 6 PAGES

AMENDMENT

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PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0551-0031 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/842.293 Filing Date TRANSMITTAL 18 August 2003 First Named Inventor **FORM** MARCHILDON, Ted Art Unit 3843 Examiner Name NGUYEN, Son T. (to be used for all correspondence after initial filling) Attorney Docket Number O120 0009 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Repty Brief) Petition Amendment/Reply Petition to Convert to a Proprietary Information After Final **Provisional Application** Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD **Certified Copy of Priority** Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name OYEN WIGGS GREEN & MUTALA LLP Signature Printed name Rightard A. Johnson Date Reg. No. 7 July 2005 56,080 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date 7 July 2005 Brad D. Sherbuck Typed or printed name

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Brad Sherbuck - Secretary to Richard A. Johnson

O120 0009 DJM/RAJ/raj

Paper No.:_

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Inventor(s):

MARCHILDON, Ted

Title:

PLANT GROWING MACHINE

Serial No.:

10/642293

Filed:

18 August 2003

Examiner:

NGUYEN, Son T

Art Unit:

3643

Date:

7 July 2005

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

<u>AMENDMENT</u>

Introductory Comments

Responsive to the Office action mailed 7 April 2005 as extended by the accompanying Petition (if applicable), please amend this application as follows:

- Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.
- Remarks/Arguments begin on page 5 of this paper.